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### **REMARKS**

Claims 1-32 are all the claims presently pending in the application. Claims 1-9, 11-28, 31, and 32 are allowed. Claims 10, 29, and 30 stand rejected on prior art grounds and claim 30 stands rejected for lack of antecedent basis. Applicant believes that the amendment above to claim 10 properly addresses the Examiner's objection to claim 30 and requests that the Examiner reconsider and withdraw this objection.

It is noted that the claim amendments are made to merely clarify the language of each claim, and not for distinguishing the invention over the prior art, narrowing the claims, or for any statutory requirements of patentability. It is further noted that, notwithstanding any claim amendments made herein, Applicant's intent is to encompass equivalents of all claim elements, even if amended herein or later during prosecution.

Regarding the prior art rejections, claims 10, 29, and 30 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,150,904 to Taniguchi et al.

This rejection is respectfully traversed in view of the following discussion.

#### **I. THE CLAIMED INVENTION**

Applicant's invention, as disclosed and defined in claim 10, is directed to a package for accommodating a surface acoustic wave (SAW) filter formed on the front surface of a chip substrate. A plastic molding formed to have a front surface, a back surface, an edge wall, and a central recess for receiving the SAW filter.

A plurality of terminals extends out of the package and extends into the package. One of the terminals comprises an L-shaped portion and the back surface of the chip substrate contacts the L-shaped portion.

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In complete contrast, a conventional SAW filter uses a ceramic package with a grounded metal film. Due to the problem with securing metal to plastic, it is difficult to provide a device for permitting the escape of charge generated due to polarization on a plastic package. Therefore, ceramic has become the material choice for the package material. That is, it is conventional practice in the art to avoid plastic.

However, because a key aspect of the present invention is the incorporation of one of various electrical discharge preventing devices for preventing electric discharge among a plurality of interdigital transducers, the present invention includes a second key aspect in which a plastic package can be used, thereby allowing a lower cost device compared to one incorporating ceramic.

## II. THE PRIOR ART REJECTION

The Examiner alleges that claims 10, 29, and 30 are anticipated by Taniguchi. Applicant submits, however, that, there are elements of the claimed invention is which are neither taught nor suggested by Taniguchi.

First, at line 65 of column 4, Taniguchi clearly teaches use of the conventional material, ceramic, for the packaging material. Further, even assuming arguendo that lines 65-67 do suggest alternate materials, Applicant submits that this statement does not overcome the conventional wisdom that plastic is a poor choice of material for the package. That is, as explained beginning at line 27 of page 3 of the present specification, plastic is considered in the art as a poor choice of material to use for SAW filter packaging.

Second, the Examiner considers that the grounding terminal 52 shown in Figure 7 of Taniguchi is "L-shaped". Applicant disagrees that one of ordinary skill in the art would consider this "H-shaped" grounding terminal 52 as being "L-shaped".

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Moreover, it is clear that the Examiner's technique of arbitrarily dissecting the "H-shaped" terminal into "L-shaped" terminals is improper hindsight. That is, this "H-shaped" terminal can alternately be dissected into two "U-shaped" terminals, a "T-shaped" terminal in combination with an "I-shaped" terminal, a "U-shaped" terminal in combination with two "I-shaped" terminals, or even a plurality of "I-shaped" terminals.

Clearly, the Examiner has chosen "L-shaped" simply because the claims recite this wording, and this arbitrary description by the Examiner is clear evidence of improper hindsight.

Thus, turning to the exemplary language of claim 10, there is no teaching or suggestion of "a package for accommodating a surface acoustic wave (SAW) filter formed on the front surface of a chip substrate, comprising: a plastic molding formed having a front surface, a back surface, an edge wall, and a central recess for receiving said SAW filter; a plurality of terminals extending out of the package and extending into the package, wherein one of said terminals comprises an L-shaped portion, and wherein the back surface of said chip substrate contacts said L-shaped portion," (emphasis Applicant's).

For at least the reasons stated above, Applicant respectfully submits that the cited references fail to teach or suggest every feature of independent claim 10.

Based on the foregoing, the Examiner is respectfully requested to reconsider and withdraw the rejections.

### **III. INFORMAL MATTERS AND CONCLUSION**

Proposed drawing corrections to figures 12-14 designating them as "Prior Art" are submitted herewith. Formal drawings incorporating such proposed changes will be submitted upon reception of notice of allowance of the Application.

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In view of the foregoing, Applicant submits that claims 1-32, all the claims presently pending in the application, are patentably distinct over the prior art of record and are in condition for allowance. The Examiner is respectfully requested to withdraw the rejection and pass the above application to issue at the earliest possible time.

Should the Examiner find the application to be other than in condition for allowance, the Examiner may contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Attorneys Deposit Account No. 50-0481.

Date: 10/23/03

Respectfully Submitted,



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